App. F. IX-4

1950. 51
(CB)

File No. 202-50

Previous References.
CB 287-49-1

Serial Nos. 1-2

Later References.

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 2

Part B for Aug 50

SUBJECT

Representation of Sri Ayyappa and Husaini Asst. Court Commissioners - Scale of pay

No 7457/CB

Dt. 12.8.50

To

The Revenue Commissioner.
Bangalore

Orb 19/

Representation of Sri Aiyappa and Janab Hussain, Asst Commrs for higher pay.

General and Revenue Secretariat | File No. pay of 195 | [App. F.III-2 WD 07558—GPB—1,000—28-1-50

Serial No.

A

Letter no. A1.p.R. 935/49-5 dated 26.5.1950 from the Rev. Commr forwarding the representation of Sri A.S. Aiyappa and Janab Md. Hussain Asst. Commrs and requesting in his D.O. letter dated do address the Accountant-General to allow Sri Aiyappa, Janab Md Hussain, Sri Sidalavanjappa and Sri M. Basappa, Asst. Commrs to draw the pay at Rs 330/p.m. and Rs 350/p.m. from 1.10.1948 and 1.10.1949 respectively in the cadre of Asst. Commrs.

Submitted.

1) Sri A.S. Aiyappa and Janab Md. Hussain Asst. Commrs have requested that their pay may be fixed at Rs 330/p.m. from 1.10.48 in the new grade of pay of Asst. Commrs.

2) These officers were appointed as Asst. Commrs in the year 1946 and they are getting a pay at Rs 280+10 in the revised grade of Amildars from 1.10.48 and Rs 300/p.m. from 1.10.49 as the leaders of these officers as Asst. Commrs is only acting. If these officers had been substantive in the cadre of Asst. Commrs their pay on 1.10.48 and 1.10.49 would have been Rs 325+5 and Rs 350/p.m. respectively in the revised grade of Rs 300-25-500.

NOTE—Contn. Sheet

Serial No. B

3) On G.O. No. 11072-73/C.B.287-49-1 dated 18.2.50 it has been ordered that all officers who had reached the maximum of Rs 250/ in the grade of Amildars and who had been appointed as Asst. Commrs on a pay of Rs 250/ within two years prior to 1.5.47 be stepped on Rs 290/p.m. from the date of their appointment as Asst. Commrs subject to the condition that they have not yet reached the maximum in the grade pay of Asst. Commrs.

4) Sri Aiyappa when he was promoted as ag. Asst. Commr was getting a pay of Rs 250/p.m. the maximum of the grade pay of Amildars with effect from 9.12.1945.

5 Sayed Md. Hussain was at the time of his promotion as Asst. Commr. getting a pay of Rs 250/p.m. the maximum of the grade pay of Amildars with effect from 1.1.1945

6 Sri G. Siddaramjappa, when he was promoted as Asst. Commr was getting a pay of Rs 250/p.m. the maximum of the grade pay of Amildars with effect from 1.7.46.

7 Sri M. Basappa was getting a pay of Rs 250/p.m. the maximum of the grade pay of Amildars from 8.4.46.

Serial No.

8 From the above it can be seen that all these 4 officers had reached the maximum of the grade pay of Amildars, viz, Rs 250 at the time of their promotion as Asst. Commrs.

9 As per G.O. dated 18.2.50 all the above officers have to be stepped on a pay of Rs 290/- from the date of their appointment as Asst. Commrs. They are getting Rs 280+10 from 1.10.48 and Rs 300/p.m from 1.10.49. ~~Now~~ All these officers are acting Asst. Commrs. If they had been substantive in the cadre of Asst. Commrs their pay on 1.10.48 and 1.10.49 would have been Rs 325-15 and Rs 350/p.m respectively in the revised grade of Rs 300-25-500.

10 The recommendation of the Rev. Commr is to fix the salary of these 4 officers in the acting appointments on the basis of what they would have drawn if they were permanent and not to step them on the minimum of the revised grade. That is to say to allow the officers to draw their salary at Rs 330/p.m. and Rs 350 p.m. from 1.10.48 and 1.10.49 respectively in the Cadre of Asst. Commrs. There are no instances where such requests were complied with.

11 The Accountant General may perhaps

NOTE—Contn. Sheet

Representation of Sri Aiyappa and Jawab Md. Hussain, Asst. Commrs of 1905 for higher pay.

File No. [illegible]

General and Revenue Secretariat

Serial No.

1. 1-B.

be consulted whether the proposal is admissible.

12 Submitted with reference to para 1 supra

Kh 1/7/50.

13 If approved, this may be sent to A. G. for remarks in the first instance.

1.7.50.

14 Yes 4.7.50.

U. O. No. 30/CB Dated. 6/7/50

15) Forwarded with compliments to the Accountant-General, Mysore, Bangalore for early remarks.

Sd/- Ramakrishnaiya
For Chief Secy to Govt.

Kh

6.7.50.

28/7

U.O.412/GAD. Dated, 28-7-1950.

15) Returned with compliments.

16) Kind reference is invited to Clause (2)(d) of Para 2 of the Govt. Order No. Fl. 4081-416/S&A. 14-48-7 dated 4-11-48 sanctioning the revision of the scales of pay of Subordinate Gazetted Officers wherein it has been stated that for purposes of allowing weightage to the existing pay, the cases of officiating officers should be dealt with under the rules in the M.S.R. Since the grade pay of Asst. Commissioners was revised from Rs. 250-40/2-450 to Rs. 300-25-500 from 1-10-48 the officers who were acting as Asst. Commissioners on that date will have to be treated as having been transferred to a new appointment on the new pay and started on the minimum pay of the new appointment under Article 87, M.S.R.

17) In the cases of Acting Senior Asst. Commissioners and Acting Subordinate Judges however, special orders of Government have been passed allowing them to count their service in the old grade for purposes of increments in the revised grade vide Financial Secretary's letter No. Fl. 4012/S&A. 14-48-18 dated 28-11-49. But their cases

COMPTROLLER'S OFFICE U. O. No. 173 Date 7-7-50 Special BANGALORE

G. A. D. SN. U. O No 32 RECEIVED ON Date 8/7/50

B

CHIEF SECRETARY 29 JUL 1950 GOVT. OF MYSORE

30/7 xmk 21/7/50

Representation of Sri Aiyappa and Janab Md. Hussain, Asst. Commrs for [illegible]

Comptroller's Office.

File No. [illegible] of 194

Serial No.

cases are not exactly analogous to those of acting Assistant Commissioners in as much as the minimum and the maximum in their revised grade are not altered the only change being in the periodical increments from biennial to annual ones.

For Accountant General, Mysore

Kmn.

1. Submitted paras 16 and 17 are for perusal

1. Submitted with reference to para 13 supra.

1/8/50.

2. This is a recommendation for special treatment outside the G.O. dt 4.11.48 sanctioning the revision of scales of pay of subordinate gazetted officers, and according to the terms of that G.O. is not to be entertained.

2. The un-official note of the A.G. is for perusal. Since the officers in question 1.8.50. held the post of Asst. Comr. on an acting basis, the benefits of revision contemplated in the G.O. dated 4-11-48 could not be extended to them. This is a grievance which is common not only to the officers in

Note — Contn. Sheet.

Representation of Ayyappa and Jamadar
Md Hussain, Asst. Commr for highways

File No. Fy ____ of 194 .

Comptroller's Office.

Serial No.

question in particular, but also to all officers who were then acting in general. It is difficult to treat the cases of these officers as special, because they may be several such instances. In view of this the Rev. Comr. may perhaps be informed that his recommendation cannot be accepted.

A.

Chief Secy)
3/8/50

22) This will also apply to gazetted officers of other Depts. also, if similarly situated.

23) A. above may be approved

Chief Minr.
Hon Finl. Secy
wps

7-8-50
xmr
7/8/50

24) 8/8/50.

25) A. Approved.

11/8/50

11/8
xmr
11/8/50

26) Submitted Draft letter in put up for approval

11/8/50.

27) Done
xmr

Issued letter no. 7453/C.B. 11.8.50. dated 12.8.50 to the Rev. Commr, Bangalore stating that his recommendation cannot be accepted

11/8/50

CHIEF SECRETARIAT 4201 7 AUG 1950 GOVT OF MYSORE

REVENUE SECRETARIAT U. O. NO. PL. 4707 8 AUG 1950 BANGALORE.

Office of the Chief Minister No. 2229 Date of Receipt 8/8

1069/CB
Su Uks

GOVERNMENT OF MYSORE.

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. Al.P.R.935/49-50.
Each No. Dated, Bangalore, 26th May 1950.
29/5

To

Sri K. Srinivasan, B.Sc.,
Chief Secretary to the Government of Mysore,
Bangalore.

Sir,

I have the honour to invite reference to Government Order No. 11072-73/C.B.287-49-1 dated 18th February 1950 fixing the Starting Pay of all Officers who had reached the - - - maximum of Rs.250/- in the grade of Amildars and who had been appointed as Assistant - - - Commissioners on a pay of Rs.250/- per mensem within two years prior to 1-5-1947 subject to certain conditions and to state that Janab -- Mohamed Hussain and Sri A.S. Aiyappa, Assistant Commissioners, have made a representation - - that in the circumstances stated their pay may be fixed at Rs.330/- per mensem with effect from 1-10-1948 in the new Grade of Assistant Commissioners. These Officers were appointed as Assistant Commissioners in the year 1946 - and according to the Government Order referred to above their pay in the old Scale would be Rs. 250 + 66 Acting Allowance on 30-9-1948, the Acting Allowance being 1/5 of Rs.330/-, which they would have drawn if they held the Posts of Assistant Commissioners substantively.

P.T.O.

In pursuance of Government Order No. Fl. 4081-4161-5/S & A.14-48-7 dated 4-11-1948 the Pay of the subordinate Gazetted Officers was revised with effect from 1-10-1948. As the tenure of appointment of these Officers is - only acting they have been permitted to draw Rs.300/- per mensem, the minimum pay of the post treating them as having been transferred to new appointments under Article 87, Mysore Service Regulations. These Officers are -- permanent Amildars and they are getting - - - Rs. 280 + 10 in the revised Grade of Amildars from 1-10-1948 and Rs.300/- from 1-10-1949. - If these Officers had been substantive in the Cadre of Assistant Commissioners their pay on 1-10-1948 and 1-10-1949 would have been Rupees 325 + 5 and Rs.350/-, respectively,in the - - revised grade without adding any Weightage. - It is reasonable to fix their Salary in the - acting appointments on the basis of what they would have drawn if they were permanent and -- not to start them on the minimum of the revised Grade. It is seen from the Civil List that Sriuts: G. Siddananjappa and M. Basappa, - - Assistant Commissioners, had reached Rs.250/- the maximum in Grade of Amildars (Old Grade) - prior to 1-5-1947. Their cases are on all -- fours with those of Janab Mohamed Hussain and Sri A.S. Aiyappa.

According to Para 2(d) of the Government Order dated 4-11-1948 referred to above the - cases of officiating Officers will have to be dealt with under the Rules in Mysore Service

Service Regulations. In pursuance of this and the Government Order of 18-2-1950 the Salary of these four Officers has to be Rs. 290 + 66 Acting Allowance limited to Rs.330/- on - - 1-10-1948 and Rs. 300 + 70 Acting Allowance limited to Rs.350/- on 1-10-1949 under - - - Article 82(e) of the Mysore Service Regulations.

In the circumstances I request that the Accountant-General may be addressed to allow these four Officers to draw at - - - Rs.330/- per mensem and Rs.350/- per mensem from 1-10-1948 and 1-10-1949, respectively, in the Cadre of Assistant Commissioners.

The representations of Janab Mohamed Hussain and Sri A.S. Aiyappa are enclosed for reference.

Yours faithfully,

K Bala Subramanyam 27/5

For Revenue Commissioner.

Absent from Hd. Quarters.

mlg

Submitted

Government in their order No.11072-73/C.B.287-49-1 dated 18-2-50, have directed that all officers who had reached the maximum of Rs. 250/- p.m. in the grade of Amildars and who had been appointed as Assistant Commissioners on a pay of Rs. 250/- p.m. within two years prior to 1st May 47 (the date of the Government Order sanctioning a minimum pay of Rs. 290/- p.m. as Assistant Commissioners to such of the Amildars as drawing the maximum pay of Rs. 250/- p.m. in the grade of Amildars on their being appointed as Assistant Commissioners) be started on Rs. 290/- p.m. from the date of their appointment subject to the conditions that (1) they are still in service (2) they have not yet reached the maximum in the grade of Assistant Commissioners and that (3) they do not become entitled to any back pay prior to 1st May 47 by reason of the extension of the benefit of the Government Order dated 1st May 1947.

I have been acting as an Assistant Commissioner since 7-8-46 and I have drawn salary as detailed below.

Pay Rs. 250/- (as Amildar) drawn as acting Assistant Commissioner also from 7-8-46.

Salary Rs. 290/- under the coneession sanctioned from 1-5-47 in G.O. dated 1-5-47.
Pay Rs. 290/- plus A.A. Rs. 10/- (1/5 of Rs. 300/- limited to Rs. 10/-) from 1-10-48.
(Rs. 280/- plus P.A. Rs. 10/-) as Amildar consequent on the revision of the grade pay of the Amildar and according to the allocation statement.
Pay Rs. 300/- (as Amildar) plus A.A. Rs. 25/- (1/5 of Rs. 325/- limited to Rs. 25/-) from 1-10-49.

According to the extension of the benefit of the concession in the G.O. dated 18-2-50 quoted above I become entitled to the salary as noted below upto 1-10-48 the date of revision of the scales of pay. Rs. 250/- plus A.A. Rs. 66/- (1/5 of Rs. 330/-) from 7-8-48 to 30-9-48.

But for the revision of the grades of pay from 1-10-48, I should have been entitled to salary beyond 1-10-48 as noted below.

Pay (as Amildar) Rs. 290/- plus A.A. Rs.40/- p.m. (on Rs. 330/- limited to Rs. 40/-) from 1-10-48
Pay as amildar Rs. 300/- plus A.A. Rs. 30/- (on Rs. 330/- limited to Rs. Rs. 30/-) from 1-10-49 to end of 6-8-50.
Pay as amildar Rs 300/- plus A.A Rs. 70/- (on Rs. 370/- limited to Rs. 70/-) from 7-8-50.

Consequent on the revision of the grade of pay of an Assistant Commissioner to Rs. 300-25-500 from 1-10-48 I have to be treated as having been transferred to a new appointment altogether under the rules in M.S.R. and under these rules strictly my salary would be as follows.

Pay Rs. 290/- plus A.A. Rs. 10/- (on Rs. 300/- limited to Rs. 10/-) from 1-10-48.

913

Pay Rs. 300/- plus A.A. Rs. 25/- (on Rs. 325/- limited to Rs. 25/-) from 1-10-49.

Thus, my position financially under the concession granted in the G.O. dated 1-5-47 and under those extended in the G.O. dated 18-2-50, stands unaltered. The natural operations of the rules in M.S.R relating to acting allowances and the fixation of the initial salary allow me no benefit whatever despite the intentions of Government in extending the concession of the Government Order of 1-5-47. Taking into account the hardship caused to me thus, I request that my salary from 1-10-48 and onwards may be recommended to Government for being fixed as under.

Pay Rs. 290/- (as Amildar) plus A.A. Rs. 40/- (on Rs. 330/- limited to Rs. 40/-) p.m. from 1-10-48

Pay Rs. 300/- (as Amildar) plus A.A. Rs. 50/- (on Rs. 350/- limited to Rs. 50/-) p.m. from 1-10-49

I also understand that similar cases of hardships in the cadres of Senior Assistant Commissioners and sub-ordinate ~~grades~~ judges were favourably considered by Government on the above lines.

C. Lu/ S.A.T.O. 9/3/50.

Comptroller for kind consideration and orders through Assistant Comptroller, Establishment and G.A.D.)

To

The Revenue Commissioner in Mysore,
Bangalore.

Through

The Deputy Commissioner,
Chitaldrug District,
Chitaldrug.

J.2
To Re
Rs
25/4

Sir,

In connection with the Government Order No.11072-73 C.B. 287-49-1 dated 18th February 1950 I seek permission to represent that though the Government Order obviously confirms some benefit to me I have been hard-hit owing to the interpretation put upon this Government Order and the Orders relating to the Revision of Salary.

I started as Assistant Commissioner on 7-8-1946 when I was getting Rs.250/- as Amildar. In view of the benefit given by the Government Order No.4735-6 C.B. 336-46-1 dated 1st May 1947, I began to draw Rs.290/- as starting pay with effect from 1st May 1947. As a result of the Revision of Scale of Pay of the Assistant Commissioners I had been fixed on a Salary of Rs.300/- with effect from 1-10-49. In view of the present Government Order of February 1950 the only benefit I have received is an increase of emoluments between 7-8-48 and 30-9-48 by Rs.26/- P.M. While prior to 1-10-48 the Comptroller has passed my bill at Rs.250 + 66 as acting allowance he has refused to concede any increment to me after the Revision and therefore I get no benefit out of the Government Order of 18th February 1950.

Since I had been getting Rs.250 + 66 up to 30-9-48 I request that a special recommendation may be made to Government to fix me up on Rs.325/- from 1-10-48 and Rs.350/- from 1-10-49.

I feel aggreieved to represent that the general revision has reduced my emoluments by Rs.16/- though my substantive pay was increased to Rs.280 + 10. If the acting allowance of Rs.66/- was added on to my substantive pay at the time of revision, I should have been fixed up on Rs.350 + 6 from 1-10-48 and Rs.375 from 1-10-49, if I had been made S.P.T. Assistant Commissioner.

In these circumstances I request that my prayer to have me fixed up on Rs.325/- from 1-10-48 and Rs.350/- from 1-10-49 will

P.T.O.

be deemed as reasonable and fair and specially recommended to Government, as my emoluments have been reduced in the revision.

Yours faithfully,

H. Thapya

Camp Bangalore,
Dated 22nd April 1950.

Assistant Commissioner
(On leave)

12-8-50

The Revenue Commissioner in Mysore,
Bangalore.

Subject: Representation of Sri.A.S.Aiyappa & Janab Mohamed Hussain, Assistant Commissioners, for higher pay.

*****

With reference to your letter No.Al.D.S.935/49-50 dated 26/27th May 1950 on the above subject, I am directed to state that Government regret that your recommendation cannot be accepted as it is outside the rules.

Yours faithfully,

o/c
for Chief Secretary to Government.
17/8/50

LC/2

Appendix F G—1]

SUBJECT..... Representation of Sri A.S. Aiyappa and Jamal Mohamad Hussain, Asst. Commrs., for higher pay.

.....

Diary No. of letter replied to ....1069 C.B.

General and Revenue Secretariat

( )

the *19* .

Date of issue.....

Signed by.....

List of enclosures.....

Copied by.....

Examined by.....

Section

File No.

Serial No.

No. 7453/Ea. 9. 12.8.50.

To

The Rev. Comm. in Mysore,
Bangalore.

Sir,

With reference to your letter no. AI-P.R. 935/49-5 dated 26th/27th May 1950 on the above subject, I am directed to state that Govt. regret that your recommendation cannot be accepted as it is outside the rules.

Yours faithfully

Illegible
11.8.50.

For Chief Secy to Govt

Illegible

Illegible 11/8/50